Women’s Labor NPOs and Women’s Labor Unions in Japan

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1 Introduction

Women’s labor NPOs (non-profit organizations aimed at addressing women’s labor issues) and women’s labor unions (labor unions most of whose members are women) that have been leading the activities of protecting and expanding the employment rights of female wage earners in Japan over the last three decades, although there are few of such organizations throughout Japan and their membership is very small. Why do these organizations exist? To put it differently, in what relationships are these organizations with other labor unions that form the majority of labor unions in Japan, that is, in-house unions organized for individual companies? What are the characteristics of these organizations? How are they related to the trend of labor union revitalization in Japan? This paper addresses and discusses these questions.

With regard to women’s labor NPOs, there are some documents written in Japanese by the people involved in the relevant organizations, whereas there are only a few research papers written in Japanese and there seem to be none written in English. In this paper, the author takes up Working Women’s Network (WWN) as an example of a women’s labor NPO, because WWN is one of the most famous women’s labor NPOs in Japan, and in the history of its creation, it represents the essential features of women’s labor NPOs in Japan. Another reason is that this author is one of the few male members of WWN.

On the other hand, women’s labor unions have been discussed in some research papers written in Japanese, and there is also an English paper addressing this topic (Broadbent, 2007). Since women’s labor unions are a type of independently affiliated union (IAUs) and other types of IAUs have been studied in English papers (Urano & Stewart, 2007, 2009, Suzuki, 2008), this paper addresses women’s labor unions only briefly.

2 What Is the Reason for the Existence of Women’s Labor NPOs and Women’s labor unions?

The existence of women’s labor NPOs and women’s labor unions can be accounted for by the fact that in-house unions are not sufficiently qualified to protect and expand employment rights for female wage earners. Bound by their constitutions as well as labor practices, in-house unions protect employment rights of only a limited scope of workers, while excluding the employment rights of other workers. Because of this, those workers whose rights were not protected by in-house unions formed organizations that are independent from in-house unions, in an attempt to defend their own employment rights for themselves. Women’s labor NPOs and women’s labor unions are categorized as such independent organizations.

2-1 Workers whose rights are not protected by in-house unions

In short, workers not protected by in-house unions are roughly categorized into: (a) non-regular or part-time employees and dispatched agency workers; (b) employees of small and medium-sized enterprises (SMEs); (c) female wage earners; and (d) union members and surviving families of
union members who have a critical attitude towards labor-management cooperation. Let me give a brief outline of each category.

a) Regular and full-time employees, as members, are protected by in-house unions, while these unions exclude non-regular or part-time employees and dispatched agency workers from their membership and protection. Those categorized as non-regular or part-time employees or dispatched agency workers account for 35.6% of the total wage earners, and 55.3% of female wage earners (Employment Status Survey, 2007).

b) In-house unions organize employees of large corporations but do not organize those of SMEs. The estimated rate of union density of in-house unions is 46.2% among private corporations with not less than 1,000 employees, while it is only 14.2% among private corporations with 100–999 employees and 1.1% among those with not more than 99 employees (Basic Survey on Labour Unions, 2009).

c) In-house unions share with the management a strong consciousness of the gender role theory, i.e. men are the breadwinners and women are the housewives, and believe that female workers should withdraw from labor force while young. From this point of view, in-house unions do not protect the female union members who continue to work for a longer period.

It is not rare that women, after graduating from high school or college, find jobs in large corporations, work as regular and full-time employees, and become in-house union members. Actually, a small number of such women continue to work for a long period, but they are often differentiated from men and subject to discriminatory treatment in terms of promotions and pay increases. The major reasons for such discrimination against women are that: (1) those female workers are regarded as the exceptions as they do not play their roles as housewives; and (2) there is a strong consciousness of the gender role theory at the workplace that female workers are the assistants of the male workers. Since male workers who are members of in-house unions share the same consciousness, they often do not request the management to eliminate such discrimination in treatment against female workers who continue to work for long periods.

The majority of female workers leave work in their 20–30s to get married or deliver or raise a child, and cease to be wage earners. It is often the case that when they come back to work and become wage earners again, they are, this time, non-regular or part-time employees or employees of SMEs, and in most cases, they are not union members.

d) From the 1950s to the 1990s, in-house unions did not protect members who were critical against the unions’ cooperative stance with the management or those who were members of left-wing parties, when these members were treated in a discriminatory manner by the management in terms of promotions and pay increases. At present, as the number of union members who have such tendencies has decreased, outright discrimination has died down. However, from the latter half of the 1980s until the present, there has been an increase in the number of a new type of labor disputes. Such cases involve the surviving families of union members who died from overwork—generally called karoshi (Kanai, 2009). When a dispute occurs between the surviving family of a union member who claims karoshi as the cause of the death, and the management who deny karoshi, the in-house union tends to be uncooperative with the surviving family of the
deceased member.

2-2 Litigation and organizations that support the plaintiffs in labor cases

There are two approaches available to workers not protected by in-house unions for protecting their own employment rights. One of these is to bring an action in court, and organizations that support the workers who stand as plaintiffs in labor cases have been created and have developed separately from in-house unions. The other is to form labor unions separately from in-house unions. I will call this type of labor union the independently affiliated unions (IAUs).

As in-house unions were born after the end of the Second World War, workers not protected by in-house unions started to appear also after the end of the war. Accordingly, IAUs, which were formed to support workers who stood as the plaintiff in labor cases, already have a long history since the post-war period to date, and the history of IAUs has led to the emergence of women’s labor NPOs and women’s labor unions.

Let me present a rough sketch of the development of organizations that support workers who stood as the plaintiff in labor cases in the post-war period. The first one of such organizations was formed in 1950, when the Red Purge occurred in Japan. The Red Purge was a movement wherein the management of enterprises, as directed by the U.S. Occupation Forces, fired workers who were members of the Communist Party and other leftist workers on the grounds of their affiliation with the Communist Party, despite the provisions of the Constitution of Japan guaranteeing freedom of thought. Various organizations were formed in order to support the workers who sued their companies over wrongful termination. Among many such labor cases, there were hardly any in which in-house unions supported those workers who were fired, even where they were union members. The court cases related to the Red Purge ended in the 1960s.

The next trend of labor cases started in the 1960s. Individual leftist workers or small groups of such workers, who were members of in-house unions at large corporations, filed lawsuits and claimed that the management discriminated against them by reason of their leftist tendencies. These workers were members of anti-mainstream groups within the in-house unions that went along with the labor-management cooperation policy, or members of small in-house unions, which were in conflict with the larger in-house unions that went along with such policies. Various organizations were also formed to support these workers. While many such cases were filed, in-house unions that went along with the labor-management cooperation policy never supported the members who belonged to the anti-mainstream groups. The number of this type of labor cases started to decrease in the latter half of the 1980s.

From the latter half of the 1980s to the present, two new types of labor cases have been increasing.

One is the case in which the surviving family of a worker who died from overwork (karoshi) sues the State and the management of the company to seek a declaration that the worker’s death was due to illness or injury occurring in the course of work, and to claim compensation for damages arising from the employer’s breach of its duty to provide security to its workers. It is not
rare that the in-house union of which the deceased worker was a member does not support the worker's surviving family. Various organizations have been formed in order to support the surviving families involved in such labor cases.

The other new type of case is the one in which a female worker sues the management, alleging gender discrimination in employment. Although the Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (Equal Employment Opportunity Act, EEOA) enacted in 1985 is imperfect legislation, its enactment made female workers more conscious of their rights and urged some of them to bring actions in court. Many of such female workers were members of small leftist in-house unions, whereas there were some who were members of in-house unions that went along with the labor-management cooperation policy, in which case the female workers did not get supported by their unions. Therefore, to support those female workers, various organizations were formed, including WWN. Women’s labor NPOs can be categorized as this type of organization.

2-3 Independently affiliated unions (IAUs)

There is no particular qualification needed for a person to be a member of an independently affiliated union (IAU). This is a great point of difference from an in-house union, which requires its members to be workers employed by that particular company. Members of IAUs are workers who join the unions solely at their own choice, and IAUs organize those workers across company boundaries. IAUs use labor consultation services as the major means of recruiting their members.

IAUs can be divided into the following three types (Endo, 2009). To help understand the features of all of these types, I first give an outline of a prototype of IAUs.

Gohdoh-rohso (joint labor union): prototype

In the latter half of the 1950s, conscientious leaders of labor unions were already aware that in-house unions did not include non-regular or part-time employees among their members and did not organize employees of SMEs well, and that this was a big problem with the labor union movement. As a solution to this problem, a new type of labor union called gohdoh-rohso (joint labor union) was created. A significant feature of gohdoh-rohso (joint labor union) is that it provides in its constitution that workers may join the organization based only on their own willingness to do so. This point completely distinguishes gohdoh-rohso (joint labor union) from in-house unions, because the constitution of an in-house union limits the people who qualify for membership to incumbent employees at the company. Theoretically, the constitution of a gohdoh-rohso (joint labor union) enabled it to organize employees who belonged to different companies, or in other words, enabled it to take non-regular or part-time employees as well as employees of SMEs into its membership. To clearly show the difference from in-house unions, many gohdoh-rohso (joint labor union) use the term ippan-kumiai (general union) as part of their names. The development of gohdoh-rohso (joint labor union) was seen in the 1960s.
In most cases, however, the reality of gohdoh-rohso (joint labor union) was inconsistent with its ideal. The primary reason is that the gohdoh-rohso (joint labor union) that actually existed was a kind of federation of small in-house unions of SMEs, and they had few or no members who had joined them independently. The secondary reason is that the actual members of gohdoh-rohso (joint labor union) were all or mostly all regular employees.

Unions set up by regional labor union organizations: Type 1

Sohyo (the General Council of Labor unions of Japan), which was a central organization of labor unions, organized chikuro, local councils of in-house unions of SMEs in each locality, until it was dissolved in 1989. Meanwhile, from the latter half of the 1950s until the end of the 1980s, the number of part-time employees had been on a constant rise. In 1984, the chikuro of Edogawa Ward, Tokyo, took a growing interest in the increase in the number of part-time employees and set up a union named Edogawa Union, which admits part-time employees in Edogawa Ward as its members, irrespective of the companies where they work. The name of this union contains the English term union, which is written and pronounced according to Japanese (katakana) syllabary, and this is the first labor union to use the Japanese-written form of the term union in its name. The aim of such naming was to emphasize the characteristic of Edogawa Union as an independently affiliated union which part-time employees can join based on their own decision.

As the Edogawa Union began to draw attention, similar labor unions whose name contained the word union were set up nationwide. In 1988, a book describing the activities of these unions and recommending the formation of this type of union, entitled Komyuniti Yunion Sengen (Community Union Manifesto), was published. The First National Meeting of Community Unions was held in 1989, and the Community Union National Network (CUNN) was established in 1990. The CUNN was born, following the dissolution of Sohyo and the inauguration of Rengo (Japanese Labor union Confederation), and is still in existence today. Many unions which were set up under such circumstances are referred to by the term community union, which has become a common noun in Japanese.

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To date, local chapters of Rengo and those of Zenroren (National Confederation of Labor unions) have set up a number of IAUs, separately from the CUNN. Zenroren calls its Type-1 unions local unions. The number of Type 1 unions is larger than those of Type 2 and Type 3 unions.6)

Transformation of ippan-kumiai (general unions): Type 2

As time went by, some gohdoh-rohso (joint labor unions) and ippan-kumiai (general unions) in metropolitan areas gained more members who had joined them independently, which is what they had originally intended to do, and among these new members, the number of non-regular employees increased. On the other hand, the percentage of members who belonged to in-house unions decreased. Against this backdrop, some ippan-kumiai (general union) which place an
emphasis on organizing members who join them independently use the Japanese-written form of the term union in their official or popular names.

Unions whose members are among specific categories of workers: Type 3

In December 1993, the Tokyo Managers’ Union was established, mainly targeting workers in the managerial posts who would join it independently. This may be the first union in Japan aimed at organizing a specific category of workers. Driven by the creation of this union, Women’s Union Tokyo was established in March 1995, followed by the Metropolitan Youth Union established in December 2000. This movement further encouraged specific categories of workers, such as managers, female workers, and young workers, to form independently affiliated unions nationwide one after another, with names that represent their attributes.

Women’s Union Tokyo and similar women’s unions nationwide are categorized as women’s labor unions for the purposes of this paper. Women’s labor unions act through formal or informal collaboration with women’s labor NPOs.

3 Working Women’s Network (WWN)

Working Women’s Network (WWN) is one of the best-known women’s labor NPOs in Japan. According to the information available on its website, the major objectives of WWN’s current activities are to (a) eliminate “indirect discrimination” and (b) rectify the pay disparities between men and women and between regular and non-regular employees under the principle of equal pay for work of equal value. As its policy, WWN emphasizes lobbying activities targeting international organizations such as the United Nations and the International Labour Organization (ILO), with the aim of having these international organizations put pressure on the Japanese government to integrate said two objectives into Japan’s national policy. WWN also carries out various other activities, such as supporting the plaintiffs in legal actions brought to eliminate gender discrimination, and providing seminars and other educational programs. Anyone who approves of WWN’s objectives and activities can become a member by paying membership dues (http://wwn-net.org; as of August 13, 2010).

WWN was formed in Osaka in 1995. The immediate purpose of its formation was to support the nine female workers who filed actions in 1995 against their companies for discrimination against women. The companies sued in these actions were three major companies in the Sumitomo Group, namely, Sumitomo Electric Industries, Ltd., Sumitomo Chemicals Co., Ltd., and Sumitomo Metal Industries, Ltd., all of which are based in Osaka. Although the nine plaintiffs were members of the in-house unions of these Sumitomo companies, the unions refused to support the plaintiffs in their litigation. It can be said that WWN played the role of supporting the nine plaintiffs in place of their in-house unions. The story of the birth of WWN shows WWN to have been a typical women’s labor NPO from its beginning.

In order to gain a deeper understanding of the features of WWN and the features of women’s
labor NPOs in Japan, we need to go back into history to the 1970s, to the time before WWN.

3-1 International Women’s Year of 1975

A historical event, before the formation of WWN, was the formation of the Kita-ku no Kai (Group of Kita-ku) for the International Women’s Year (IWY) in Kita-ku, Osaka City, in 1975. This group, led by Reiko Shoji, was a study group mainly consisting of women working in or around Kita-ku.

The Kita-ku no Kai had the following three features (Hiromori, 2004, 2005). (1) From the beginning, equal treatment in employment between men and women at the workplace was one of the priority issues of study. (2) Although it is presumed that many of its members were officers of labor unions or engaged in social movements, the group provided all members with the opportunity to interact and study together with one another beyond the boundaries of the organizations to which they belonged. These two features were important because, while the female union members at that time mainly appealed for maternity protection, the group functioned as a forum, separately from a labor union, where female workers were able to study and exchange opinions with one another regarding another issue, gender equality in employment. There were few of such groups at that time which had both of these important features. (3) As there both law courts and a number of law firms were located in Kita-ku, female lawyers participated in the group. This feature led to its subsequent development.

Until the first half of the 1970s, female union members, with the seniority system and the gender role theory as given conditions, had demanded a maternity protection system which would enable them to continue to work for a long period of time without suspending their careers to get married or deliver or raise a child. In other words, gender equality in employment was not an important demand (Watanabe, 1976). The International Women’s Year of 1975 was regarded as an important turning point when the priority demand of leading female union members began to shift from maternity protection to gender equality in employment, and the Kita-ku no Kai served as a driving force in this direction. 7)

Also in Osaka in 1975, female members of unions of trading companies formed the Society for the Study of Working Women in Trading Companies. 8) Some of the members of this group also belong to the Kita-ku no Kai for the International Women’s Year. The members of the Study Group on Women’s Issues in Trading Companies also seem to have shifted weight from the movement focusing on maternity protection to the movement aiming to rectify pay disparities between men and women.

In 1981, the Osaka Network for Elimination of Gender Pay Discrimination was formed, led by Shoji and other female workers of the Kita-ku no Kai for the International Women’s Year and female lawyers. The Society for the Study of Working Women in Trading Companies joined the network and formed the Trading Companies’ Group and intensified its activities. In 1984, the Trading Companies’ Group published a leaflet that presented an analysis of the actual conditions of pay discrimination against female workers at ten trading companies, and renamed itself the
Women Labor NPO


In 1985, the members of the Kita-ku no Kai for the International Women’s Year, including Shoji and Koedo, participated in the Third World Conference on Women in Nairobi, and arranged a workshop. This was the first step of their international activities.

3-2 Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (Equal Employment Opportunity Act, EEOA) of 1985—Despair led them to go to court—

The Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (Equal Employment Opportunity Act, EEOA) of 1985 was the most important legislation enacted for Japan to ratify the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW Convention) of 1979. Despite the great expectation of female labor activists in this legislation, what was actually enacted was a lukewarm law that disappointed them.

In 1987, the Association of Women Working for Trading Companies published its second leaflet, A Letter to CEDAW, which claimed that the EEOA contravened the Convention. CEDAW also stands for the Committee on the Elimination of Discrimination against Women, a United Nations committee for promoting the effective enforcement of the CEDAW Convention in the States Parties. A Letter to CEDAW was given wide coverage by the media. The Association of Women Working for Trading Companies created an English translation of the letter, and in 1991, its members visited CEDAW office and handed it over to the person in charge (Koedo, 1998).

In the symposium held in Tokyo in 1992, the principle of equal pay for work of equal value was publicly introduced for the first time in Japan as an approach to rectify women’s lower pays (Society for the Study of Working Women, 1992). The Association of Women Working for Trading Companies participated in this symposium and was deeply affected by this new principle. However, old leftist labor activities launched a campaign against the principle, as they were opposed to job analysis and job evaluation and were in favor of the seniority-based pay system. In order to confirm whether or not the old leftists’ criticism was valid, a team, mainly composed of the members of the Association of Women Working for Trading Companies, went on a survey tour to the United States and Canada in August 1994, and published a report of their survey (Japan Pay Equity Society, 1996). After that, the principle of equal pay for work of equal value became a policy aspired to among a number of female labor activists.9)

With the enactment of the EEOA providing good momentum, the number of legal actions filed by female workers demanding the elimination of gender discrimination in employment started to increase from the second half of the 1980s. For the primary purpose of learning from the experience gained in these actions, study meetings entitled the Practical Network Seminar on the Equal Employment Opportunity Act were held in Osaka City on 19 occasions during the period from 1990 to 1994. These study meetings provided female union members and workers affiliated to
no union with the opportunity to interact and study with one another. One of the major organizers of the meeting was Lawyer Mitsuko Miyachi, who was also a member of the *Kita-ku no Kai for the International Women’s Year* and the *Osaka Network for Elimination of Gender Pay Discrimination*.

On the occasion of one of the study meetings, a married woman working for a bank talked about her experience of having successfully demanded the bank for a promotion, alleging the bank’s discriminatory treatment of married female workers. Encouraged by hearing this successful precedent, in 1992, married women working for Sumitomo Life Insurance Company demanded promotions and pay increases, alleging the company’s discriminatory treatment of married female workers, and applied to the government agency for conciliation, a new type of dispute resolution proceedings under the EEOA.

This case further encouraged women working for Sumitomo Electric, Sumitomo Chemicals, and Sumitomo Metal to set about activities in 1993 to demand promotions and pay increases from their companies, claiming that the companies discriminated against female workers. In January 1994, these women flew to New York and observed the CEDAW session, where they were convinced that their claim was justifiable. On this occasion, they submitted a counter-report to CEDAW entitled *A Letter from Japan*, drafted by 13 lawyers and translated into English by the *Kita-ku no Kai for the International Women’s Year*. In 1994, they applied to the government agency for conciliation with regard to their claims against the three Sumitomo companies.

However, the case against Sumitomo Life Insurance and the other cases against the three Sumitomo companies all ended in vain, with the applications for conciliation dismissed without prejudice or resulting in the offering of irrelevant conciliation proposals. Rather, these litigation efforts revealed that the conciliation proceedings under the EEOA were not effective at all. At this stage, as there was no option for the female workers of the three Sumitomo companies but to resort to the courts, they made the decision to file lawsuits on August 8, 1995. 10)

On August 10, Working Women’s Network (WWN) was formed as an organization to support the nine women who were standing as plaintiffs in the Sumitomo cases. The new organization was born from the predecessor organizations, namely, the *Kita-ku no Kai for the International Women’s Year*, the *Osaka Network for Elimination of Gender Pay Discrimination*, the *Association of Women Working for Trading Companies*, and the *Practical Network Seminar on the Equal Employment Opportunity Act* (Miyachi, 2005, Shoji & Koedo, 2005). Since the unions to which these women belonged were in-house unions that went along with the labor-management cooperation policy, they could not expect their support. WWN took the place of their unions.

3-3 Support in 2003

The judgment in the first instance for the Sumitomo Electric Case was rendered in 2000, and that of the Sumitomo Chemicals Case in 2001. Both judgments were against the plaintiffs. However, in the Sumitomo Electric Case, the high court issued a recommendation for settlement in favor of the plaintiffs in December 2003.
The successful settlement in the Sumitomo Electric Case has a significant meaning, and in a sense, it determined the direction of the conclusions of the other two Sumitomo cases. In the Sumitomo Chemicals Case, the high court issued a recommendation for settlement in favor of the plaintiffs in 2004, and in the Sumitomo Metal Case, the judgment in first instance was rendered for the plaintiffs in 2005, and the high court issued a recommendation for settlement in favor of the plaintiffs in 2006 (http://wwn-net.org; as of August 13, 2010).

In the course of litigation proceedings, WWN supported the plaintiffs in diverse ways. Among its supporting activities, the most characteristic and the most conducive to the successful settlement in the Sumitomo Electric Case was its lobbying of CEDAW in 2003.

WWN attended the CEDAW Working Group pre-session held in New York in February 2003, and expressed the following views on the situation in Japan: (1) the employment management categories and the track-based personnel management system constitute “indirect discrimination”; (2) the government’s guidelines under the EEOA are inappropriate as they provide that discrimination should be determined by comparison only within the same employment management category, whereas discrimination should be determined across different categories; (3) discrimination should be eliminated without delay. These views were a clear rebuttal to the reasons given by the court that rendered the judgment against the plaintiffs in the Sumitomo Electric Case. WWN also attended the CEDAW session held in New York in July and stated the same views as those stated in February, while lobbying CEDAW members. These activities seem to have worked well, and the final comments of the CEDAW issued to the Japanese Government in August included many of WWN’s views.

In response to the presiding judge’s offer for commencing settlement proceedings, the plaintiffs submitted a settlement proposal to the court in September. The proposal demanded that the Japanese Government put into practice the measures mentioned in CEDAW’s final comments. In December, the presiding judge proposed the terms of settlement which, unprecedentedly, contained a preamble that reflected the plaintiffs’ settlement proposal. The plaintiffs’ promotions were mentioned in the main body of the terms, despite the fact that the plaintiffs had failed to demand this in court due to the lack of the relevant personnel materials. The plaintiffs accepted the settlement proposal and the cases were successfully settled. Upon reaching the settlement with the plaintiffs, Sumitomo Electric also promoted their female co-workers who had not stood as plaintiffs in the suit (Miyachi, 2005).

The plaintiffs were unable to acquire the personnel materials relevant to the demand for promotions because the three Sumitomo companies would not provide such materials to the plaintiffs. Further, the in-house unions of these companies also continued to refuse to provide the personnel materials in their possession, or in other words, support and cooperation, to the plaintiffs, who were their members. These in-house unions further refused to obey the recommendation issued by the Japan Federation of Bar Associations (JFBA) demanding that the unions should provide the personnel materials to the plaintiffs (Miyachi, 1998).

Comment should be made here on the three points of WWN’s activities in 2003.

The first point is that, supposing that the proper path that a labor union should take is to
improve employees’ working conditions through collective bargaining or negotiation with the management, such proper path turned out to be completely ineffective in improving the working conditions for the plaintiffs in the aforementioned lawsuits. On the contrary, the in-house unions of the plaintiffs’ companies became obstacles to them. This is why the plaintiffs resorted to litigation. Supported by the international lobbying carried out by WWN, a women’s labor NPO, the plaintiffs made their lawsuits reflect the outcome of such lobbying, and finally succeeded in improving their working conditions. What the legal cases discussed above suggest is that, in the process of eliminating discrimination against female workers, in-house unions may be not just useless, but also obstructive, whereas women’s labor NPOs may be far more helpful.

Secondly, the approach of improving female workers’ working conditions through litigation, WWN’s international lobbying, and introduction of the outcomes of such lobbying, could not have been attained without the experience of women’s labor NPOs’ activities that had accumulated since the 1970s. Furthermore, such activities were completely independent from in-house unions. Despite their independence from in-house unions, or rather, thanks to their independence from in-house unions, women’s labor NPOs have successfully accumulated experience from their own activities over a long period of time, and have gained this approach.

As the third point, the linkage between WWN’s international lobbying and the improvement of female employees’ working conditions achieved by introducing the outcomes of such lobbying is, in fact, not extraordinary in the following two respects, but still, it was ground-breaking in another respect.

First, it may not be uncommon for a women’s labor NPO or NGO in each country to lobby the United Nations or the ILO and submit a counter-report, or for the United Nations or the ILO to place as much or more importance on the counter-report of such women’s labor NPO or NGO than on the official report of the country’s government. WWN’s successful case can be regarded as a typical example of this phenomenon. Considering that national governments tend to be male-dominated, it is understandable for the United Nations or the ILO to turn to an organization mainly composed of women in order to acquire information that concerns women. This is in a sense a product of a gender perspective.

Second, it has happened more than once in the modern history of Japan that labor reforms have made progress due to the external pressure exerted by international labor standards. As is often pointed out in the study of Japan’s labor history, the Japanese government’s shift in labor policy toward a tolerant stance on labor unions in the 1920s after becoming a member of ILO, and the labor reforms carried out during the occupation period immediately after the end of the Second World War (such as the enactment of the Labor Union Act and Labor Standards Act), can be noted as precedents of such improvement in the labor environment promoted by external pressure. The 1985 enactment of the EEOA is another of such precedents. This is, as it were, a product of the relationship between the developed country and the developing country.

However, there was previously no precedent for such external pressure to arise from lobbying by a Japanese labor NPO or NGO. In this respect, WWN made a new epoch in Japan’s labor history of external pressure.
3-4 Present calls for legislative measures

Now that the lawsuits against the three Sumitomo companies have been concluded, WWN’s activities currently place emphasis on the attainment of its demand for legislative measures. First of all, WWN requests complete enforcement of the ban on “indirect discrimination” that has been enshrined in law through the revision to the EEOA in 2007, as well as the introduction of the ban on discrimination under the employment management categories and the track-based personnel management system. The second demand is the establishment in law of the principle of equal pay for work of equal value. The approach to be taken will be similar to the precedent, that is, to create external pressure toward ensuring the complete enforcement of the UN Convention on the Elimination of All Forms of Discrimination against Women, as well as the ILO Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (Equal Remuneration Convention 1951) in Japan.

Some successful results have already been made thus far: the EEOA was revised in 2007 to prohibit “indirect discrimination”, and the Diet passed an additional resolution to review the 2007 revision to the EEOA five years later. Also, in the spring of 2010, the Ministry of Health, Labour and Welfare prepared and published a manual that recommends the introduction of job analysis and job evaluation for the purpose of improving the treatment of part-time employees. Job analysis and job evaluation are the prerequisites for the enforcement of the principle of equal pay for work of equal value.\textsuperscript{11}

4 What is labor union revitalization?

When viewed from women’s labor NPOs and women’s labor unions, what does labor union revitalization in Japanese society mean? To put it simply, it means that existing labor unions, most of which are in-house unions, break away from the conventional labor movements and policies that are based on the concept of “male breadwinner family.” It is because in-house unions have pursued such concepts of family in their movements and policies that women’s labor NPOs and women’s labor unions have been formed and have developed as movements aimed at improving working conditions for female wage earners, a goal which cannot be attained by in-house unions. In other words, what women’s labor NPOs and women’s labor unions advocate is that there can be no labor union revitalization that is not sensitive to gender issues.

Shuto (2009) investigated to what degree Rengo and its affiliate labor unions have broken away from the conventional concept of “male breadwinner family,” and judged that there has been little progress. Unfortunately, this is a valid judgment. In this situation, further development of women’s labor NPOs and women’s labor unions is required, to a level where Rengo and its affiliate labor unions are forced to break away from their concept of family, or are forced to make efforts toward labor union revitalization.

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1) The existence of workers not protected by in-house unions is deeply connected with the structure of the internal labor market in Japan (Benson et al., 2007, Keizer, 2008). I do not discuss this topic in this paper.

2) Gerteis (2010) argues that the leftist labor unions in Japan in the 1950s made use of female members for their political struggles but did not attach importance to the interests of these women as wage earners (Endo, 2010).

3) Endo (1997) gave a quantitative analysis of the reality of pay discrimination in one of these lawsuits, as well as the reality of pay discrimination against female workers, which was not disputed in this lawsuit.

4) Even after the Red Purge, not a few in-house unions adopted policies on leftist movements. During the period from the latter half of the 1950s to the 1960s, members who supported the labor-management cooperation policy left these leftist in-house unions, and formed new in-house
unions. The newly-formed in-house unions gradually increased members and became the majority, while the original leftist in-house unions lost members and became the minority.

5) In Japan, there are a few labor unions which are neither in-house unions nor IAUs, such as the All Japan Seamen’s Union, which is an industrial union, and the Japan Professional Baseball Players Association, which is an occupational union. I do not discuss this type of union in this paper.

6) The organizations defined as IAUs in this paper are referred to as community unions by some. However, I distinguish these two in this paper, and I consider that they should be distinguished for the following reasons. (1) Type 3 unions, including women’s labor unions, do not fall within the category of community unions. (2) Some Type 1 unions use the term local union instead of the term community union in their names.

7) Groups of working women similar to Kita-ku no Kai were formed in 1975, not only within Osaka City but nationwide, and are at the origins of existing women’s labor NPOs. The nationwide women’s labor movement in relation to the International Women’s Year 1975 has not yet been sufficiently studied.

8) This group was formed by female union members who were opposed to the intensified tendency of the in-house unions of their trading companies toward cooperating with the management, as a forum for exchanging information on different companies.

9) To date, in two legal cases in which female workers alleged pay discrimination in employment, a total of three written opinions have been submitted to the courts, showing the analysis of the state of discrimination under the principle of equal pay for work of equal value, and these opinions seem to have contributed to the rendering of judgments and terms of settlement in favor of the plaintiffs. There are various difficulties to overcome before putting the principle of equal pay for work of equal value into practice in employment conditions in Japan, where the practice of seniority-based pay is adopted at the majority of workplaces. Pilot studies have been conducted from the workers’ viewpoints to find out how to overcome these difficulties. The first study targeted clerical work at trading companies. The second study focused on in-store work in supermarkets and in care-giving professions (e.g. caregivers and nurses). The third study is currently ongoing, addressing the work of municipal civil servants. Endo participated in the second study team, and is leading the third study team.

10) 12 women working for Sumitomo Life filed a lawsuit against their company on December 11, 1995. The judgment in the first instance was rendered for the plaintiffs in 2001, and the high court issued a recommendation for settlement in favor of the plaintiffs in 2002. In the Sumitomo Life Insurance Case, Endo prepared a written opinion as requested by the plaintiffs, and submitted it to the court of the first instance.

11) The approach to job analysis and job evaluation recommended by the ministry’s manual is defective from the workers’ viewpoint. However, the manual can be appreciated as groundbreaking because in Japan, job analysis and job evaluation are currently not accepted by many employers and in-house unions (Endo, 2010).